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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/584,898	06/28/2006	Wolfgang Hahn	3748	3507

7590 07/01/2009  
Striker, Striker & Stenby  
103 East Neck Road  
Huntington, NY 11743

EXAMINER
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BAISA, JOSELITO SASIS

ART UNIT	PAPER NUMBER
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2832

MAIL DATE	DELIVERY MODE
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07/01/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/584,898	<b>Applicant(s)</b> HAHN ET AL.	
	<b>Examiner</b> JOSELITO BAISA	<b>Art Unit</b> 2832	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/28/06</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proise [5274904] in view of Dutton [3467931].

Regarding claims 1-3 and 12, Proise discloses a coil 10 for a magnetic pole for magnetic levitation vehicles comprising of a core having a center axis and a winding 12 applied on the core, characterized in that the winding 12 has disks being formed of conductor strip 14 having the same width coiled in several layers around the core and conductively connected to each other at ends near the core [Col. 4, Lines 45-64, Figure 5b].

Proise discloses the instant claimed invention discussed above except for the winding having two disks spaced in the direction of the center axis, said disks being formed of conductor strip sections coiled in an opposite winding sense and conductively connected to each other at ends near said core by a central connection section which defines the axial distance of said two disks and the winding sense of the two conductor strip sections.

Dutton discloses winding (e.g., 11-16) having two disks (e.g., 11 and 12) spaced in the direction of the center axis, the disks being formed of conductor strip sections coiled in an opposite winding sense and conductively connected to each other at ends near a core member 10 by a central connection section 18 (e.g., 18-22) which defines the axial distance of the two disks

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by folding in the area of the connection section and the winding sense of the two conductor strip sections [Col. 2, Lines 55-73, Figure 1] and [Col. 3, Lines 1-30, Figure 1].

It would have been obvious to one having ordinary skill in the art at the time of the invention to use axially adjacent upwound coil as taught by Dutton to the coil of Proise.

The motivation would have been to provide a high current capacity coil where spacing between coil and crossover is too small. The axial spaces between coils also act as ducts for cooling the coil [Col. 1, Lines 54-60].

Regarding claim 3, Dutton discloses conductor strip 24 is folded along two folding lines (26, 32) which are arranged in parallel to each other and obliquely to a longitudinal axis of the conductor strip 24 [Col. 3, Lines 45-72, Figure 2].

Regarding claim 12, Dutton discloses that the core (not shown) at its shell surface 10 is an insulation layer and that a partially conductive foil 17 is located between the insulation layer (core member 10) and the layer of the disk (11, 12) bordering it, the conductive foil 17 resting against steps formed by tailor-cutting of the conductor strip [Col. 3, Lines 7-20]

Claims 4-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Proise in view of Dutton as applied to claim 1 above, and further in view of Fanning et al. [5530308].

Regarding claim 4, Proise in view of Dutton discloses the instant claimed invention discussed above except for the winding is made of a continuous conductor strip in which the connection section is configured as a planar formed part which has two connecting terminals that define the axial distance of the two disks and are connected to one conductor strip section each.

Fanning discloses winding (42a, 42b) is made of a continuous conductor strip in which the connection section 56 is configured as a planar formed part which has two connecting terminals (at 56) that define the axial distance of the two disks (42a, 42b) and are connected to one conductor strip section each by welding [Col. 7, Lines 14-20, Figure 5].

Regarding claim 6, Fanning discloses that at least one conductor strip 44 section is properly cut at one outer longitudinal rim so that its width continuously increases from the connection section 56 in longitudinal direction up to a maximum value [see Figure 5].

Regarding claim 7, Fanning discloses that the maximum value of width, viewed in longitudinal direction, is reached after a length that corresponds to a number of layers which is smaller than the total number of layers of the pertaining disk (42a, 42b) [see Figure 5].

Regarding claim 8, Fanning discloses that the maximum value of the width is reached after a length of the conductor strip (44) that corresponds to approximately ten layers [see Figure 5].

Regarding claim 9, Fanning discloses that the longitudinal rims (42a, 42b) of conductor strip sections (44) are symmetrically tailor-cut with respect to a longitudinal axis extending vertically to the center axis 58 of conductor strip 44, but with some offset formed by the connection section 56 [see Figure 5].

Regarding claim 10, Fanning discloses that the longitudinal rims (42a, 42b) are tailor-cut along straight lines or continuous curves [Col. 7, Lines 14-20, Figure 5].

Regarding claim 11, Dutton discloses that the connection section (e.g., 18) is so configured that it forms the first layer of the two disks (11, 12) wound around the core member

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(10) and covers a slot formed by the distance of the two disks 9e.g., 11 and 12) [Col. 3, Lines 6-30, Figure 1].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSELITO BAISA whose telephone number is (571)272-7132.

The examiner can normally be reached on M-F 5:30 am to 2:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Elvin Enad can be reached on (571) 272-1990. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Elvin G Enad/  
Supervisory Patent Examiner, Art Unit 2832

Joselito Baisa  
Examiner  
Art Unit 2832

/J. B./  
Examiner, Art Unit 2832